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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/647,537	08/26/2003	Takeshi Ikuta	SN-US020421	2269
22919	7590	08/25/2004	EXAMINER	
SHINJYU GLOBAL IP COUNSELORS, LLP 1233 20TH STREET, NW, SUITE 700 WASHINGTON, DC 20036-2680			LANGDON, EVAN H	
			ART UNIT	PAPER NUMBER
			3654	

DATE MAILED: 08/25/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)
	10/647,537	IKUTA, TAKESHI
	Examiner Evan H Langdon	Art Unit 3654

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM  
THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 30 June 2004.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-12 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some \* c) None of:
  1. Certified copies of the priority documents have been received.
  2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

1) <input type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)
3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____	6) <input type="checkbox"/> Other: _____

## **DETAILED ACTION**

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1, 4-7 and 10-12 are rejected under 35 U.S.C. 102(b) as being anticipated by Sato (JP 10117644).

Sato discloses a spinning reel comprising:

a handle 1;

a reel unit rotatably supporting the handle;

a spool 4 being attached to said the unit; and

a rotor 3 being rotatively attached to the reel unit and having first 31 and second 32 rotor arms that are pivotable between a line-guiding position and a line-releasing position; and

a first bail support member 40 and a second bail support member 42 being pivotably mounted to respective ends of the first and rotor arms;

a fixed shaft 48 having first and second ends, the first end being fixedly coupled to the first bail support member 40;

a fixed shaft cover 44 fixedly coupled to the second end of the fixed shaft 48, the fixed shaft cover being 44 spaced apart from the first bail support member 40, a line roller 45 being

rotatively supported on the fixed shaft 48, the line roller 45 having a roller formed thereon, the line roller being configured to guide the fishing line around a peripheral surface thereof, and a bail 46 having first and second ends and being configured to guide the fishing line over the fixed shaft cover 44 to the line roller 45, the first end of the bail being fixedly coupled to the second bail support member, the second end of the bail being fixedly coupled to the fixed shaft cover 44, the bail being curved outward in a circumferential direction with respect to the spool 4, the fixed shaft cover 44 including,

a first guide portion 44b being configured to guide fishing line round its outer periphery, and a first recessed portion 44d being disposed to interpose the second end of the bail 46 between the first recessed 44d portion and the first guide portion 44b, the first recessed portion being formed by making a portion of the fixed shaft cover 44 closest to the spool 4 recessed.

In regards to claims 4 and 10, Sato discloses the fixed shaft 48 and the fixed shaft cover as a one-piece member.

Claims 1, 4-7 and 10-12 are rejected under 35 U.S.C. 102(b) as being anticipated by Yasui et al. (US 6,311,913).

Yasui discloses a spinning reel comprising:

- a handle 1;
- a reel unit rotatably supporting the handle;
- a spool 4 being attached to said the unit; and
- a rotor 3 being rotatively attached to the reel unit and having first and second rotor arms that are pivotable between a line-guiding position and a line-releasing position; and

a first bail support member and a second bail support member being pivotably mounted to respective ends of the first and rotor arms;

a fixed shaft, as seen in Figure 2, having first and second ends, the first end being fixedly coupled to the first bail support member;

a fixed shaft cover fixedly coupled to the second end of the fixed shaft, the fixed shaft cover being spaced apart from the first bail support member, a line roller 9 being rotatively supported on the fixed shaft, the line roller 9 having a roller formed thereon, the line roller being configured to guide the fishing line around a peripheral surface thereof, and

a bail 11 having first and second ends and being configured to guide the fishing line over the fixed shaft cover to the line roller 9, the first end of the bail being fixedly coupled to the second bail support member, the second end of the bail being fixedly coupled to the fixed shaft cover, the bail being curved outward in a circumferential direction with respect to the spool 4, the fixed shaft cover including,

a first guide portion, as seen in Figure 2, being configured to guide fishing line round its outer periphery, and a first recessed portion 10 being disposed to interpose the second end of the bail 11 between the first recessed 10 portion and the first guide portion, the first recessed portion being formed by making a portion of the fixed shaft cover closest to the spool 4 recessed.

In regards to claims 4 and 10, Yasui discloses the fixed shaft and the fixed shaft cover as a one-piece member.

Claims 1-12 are rejected under 35 U.S.C. 102(e) as being anticipated by Matsuda (US 6,637,690 B2).

Matsuda discloses a spinning reel comprising:

a handle 3;

a reel unit rotatably supporting the handle;

a spool being attached to said the unit; and

a rotor 5 being rotatively attached to the reel unit and having first and second rotor arms

that are pivotable between a line-guiding position and a line-releasing position; and

a first bail support member 11 and a second bail support member being pivotably mounted to respective ends of the first and rotor arms;

a fixed shaft 17 having first and second ends, the first end being fixedly coupled to the first bail support member 11;

a fixed shaft cover 21 fixedly coupled to the second end of the fixed shaft 17, the fixed shaft cover being spaced apart from the first bail support member 11, a line roller 23 being rotatively supported on the fixed shaft 17, the line roller 23 having a roller formed thereon, the line roller being configured to guide the fishing line around a peripheral surface thereof; and

a bail 13 having first and second ends and being configured to guide the fishing line over the fixed shaft cover 21 to the line roller 23, the first end of the bail being fixedly coupled to the second bail support member, the second end of the bail being fixedly coupled to the fixed shaft cover 21, the bail being curved outward in a circumferential direction with respect to the spool, the fixed shaft cover 21 including,

a first guide portion, as seen in Figures 2-6, being configured to guide fishing line round its outer periphery, and a first recessed portion being disposed to interpose the second end of the

bail 15 between the first recessed portion and the first guide portion, the first recessed portion being formed by making a portion of the fixed shaft cover 21 closest to the spool recessed.

In regards to claims 2 and 8, Matsuda discloses the fixed shaft cover 21 further includes a second recessed portion disposed such that the second end of the bail 15 is interposed between the second recessed portion and the first guide portion, the first recessed portion being disposed to connect at least partially with the second recessed portion on a side closer to said line roller 23, as seen in Figures 2-6.

In regards to claims 3 and 9, Matsuda discloses fixed shaft cover 21 further includes, a conical portion smoothly joined with said second end of the bail 15 near an apex of the conical portion, and a cylindrical portion smoothly attached to a bottom surface of the conical portion on a side closer to the line roller 23, the cylindrical portion having a diameter that is substantially equal to that of the bottom surface of the conical portion, and the second recessed portion is formed in the conical portion, while the first recessed portion is formed in said cylindrical portion.

In regards to claims 4 and 10, Matsuda discloses the fixed shaft 21 and the fixed shaft cover as a one-piece member.

Claims 1-12 are rejected under 35 U.S.C. 102(e) as being anticipated by Sugawara (US 6,572,042 B2).

Sugawara discloses a spinning reel comprising:  
a handle 1;  
a reel unit rotatably supporting the handle;

a spool 4 being attached to said the unit; and

a rotor 3 being rotatively attached to the reel unit and having first 5 and second 6 rotor arms that are pivotable between a line-guiding position and a line-releasing position; and

a first bail support member 8 and a second bail support member 9 being pivotably mounted to respective ends of the first and rotor arms;

a fixed shaft 10 having first and second ends, the first end being fixedly coupled to the first bail support member 8;

a fixed shaft cover 11 fixedly coupled to the second end of the fixed shaft 10, the fixed shaft cover being 11 spaced apart from the first bail support member 8, a line roller 12 being rotatively supported on the fixed shaft 10, the line roller 12 having a roller formed thereon, the line roller being configured to guide the fishing line around a peripheral surface thereof, and

a bail 13 having first and second ends and being configured to guide the fishing line over the fixed shaft cover 11 to the line roller 12, the first end of the bail being fixedly coupled to the second bail support member, the second end of the bail being fixedly coupled to the fixed shaft cover 10, the bail being curved outward in a circumferential direction with respect to the spool 4, the fixed shaft cover 11 including,

a first guide portion 11b being configured to guide fishing line round its outer periphery, and a first recessed portion 11d being disposed to interpose the second end of the bail 13 between the first recessed 11d portion and the first guide portion 11b, the first recessed portion being formed by making a portion of the fixed shaft cover 11 closest to the spool 4 recessed.

In regards to claims 2 and 8, Sugawara discloses the fixed shaft cover 11 further includes a second recessed portion, as seen in Figure 3, disposed such that the second end of the bail 13 is

inteposed between the second recessed portion and the first guide portion 11b, the first recessed portion 11d being disposed to connect at least partially with the second recessed portion on a side closer to said line roller 12, as seen in Figures 2-3.

In regards to claims 3 and 9, Sugawara discloses fixed shaft cover 11 further includes, a conical portion smoothly joined with said second end of the bail 13 near an apex 11a of the conical portion, and a cylindrical portion smoothly attached to a bottom surface of the conical portion on a side closer to the line roller 12, the cylindrical portion having a diameter that is substantially equal to that of the bottom surface of the conical portion, and the second recessed portion is formed in the conical portion, while the first recessed portion is formed in said cylindrical portion.

In regards to claims 4 and 10, Sugawara discloses the fixed shaft 10 and the fixed shaft cover 11 as a one-piece member.

### ***Response to Arguments***

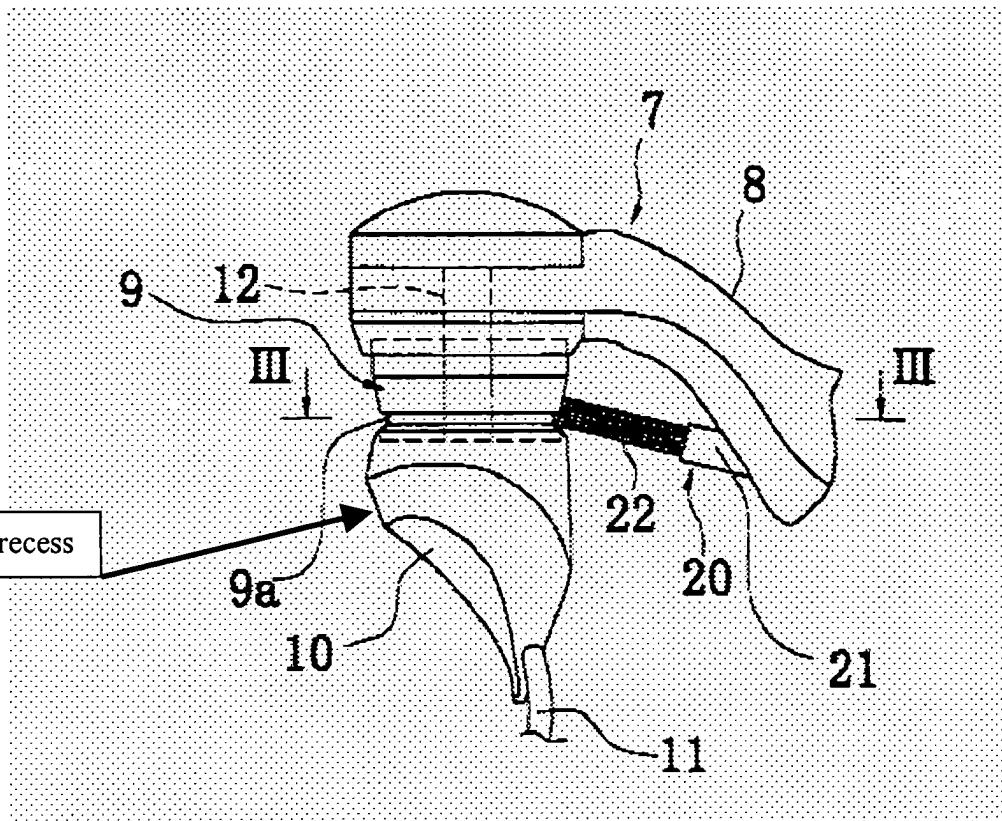
Applicant's arguments filed 30 July 2004 have been fully considered but they are not persuasive.

#### **Sato Patent**

The recess portion 44d is a large recess affixed in both the conical and the cylindrical portion of the cover and is the closest portion to the spool.

#### **Yasui Patent**

As seen in Figure 2 below the first recess portion is clearly seen by the arrow and is the closest portion to the spool.



#### Amano Patent

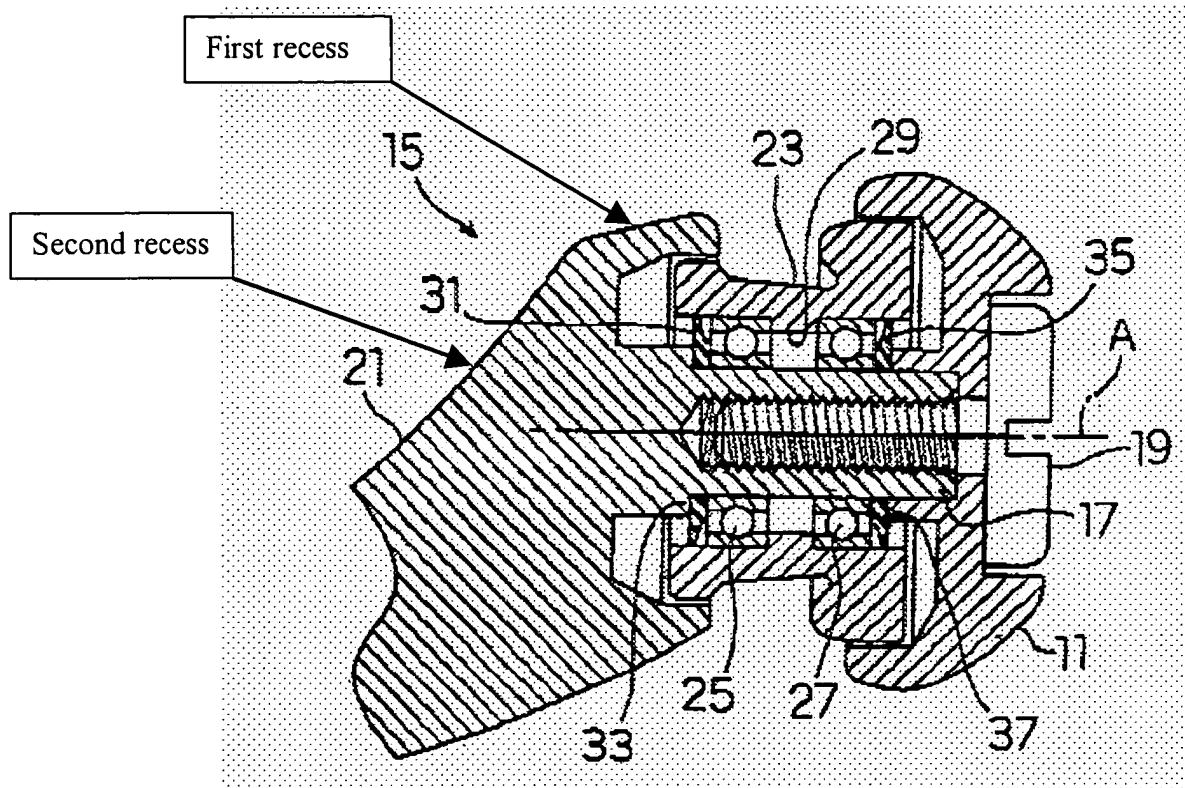
Applicant's arguments, see page 9, first full paragraph, filed 30 June 2004, with respect to claims 1-3 and 5-9 have been fully considered and are persuasive. The rejection of claims 1-3 and 5-9 as anticipated by Amano has been withdrawn.

#### Matsuda Patent

In regards to the Applicant's representative's claim that a phone message was not returned. The Examiner was out of town on leave at the time of the message and the Applicant's representative's spoke with the Examiner's supervisor on the issue. The Examiner's supervisor advised to submit a response due to the fact that the Applicant's representative's waited until the

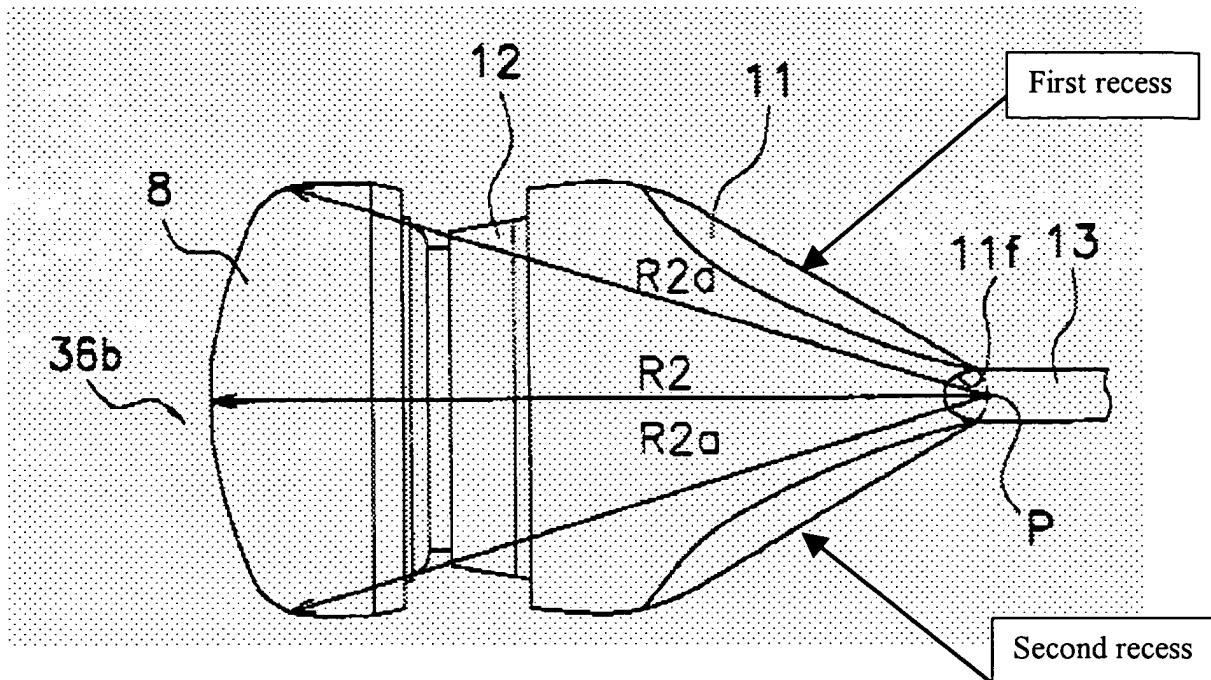
end of the 3 month period of response to contact the Examiner and would run out of time before the Examiner returned.

As shown below, the first and second recess are clearly outlined.



Sugawara Patent

The recess portion 11d is a large recess affixed in both the conical and the cylindrical portion of the cover and is the closest portion to the spool.



***Conclusion***

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Evan H Langdon whose telephone number is (703)-306-5768. The examiner can normally be reached on M-F 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kathy Matecki can be reached on (703)-308-2688. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

ehl

 8/19/04  
EMMANUEL MARCELO  
PRIMARY EXAMINER